

## AMENDMENTS TO THE CLAIMS

The following listing of claims, in which claims 1, 3-8, 10, 12-17, 19, 20, 23, 24, 27-29 and 31 are amended and claims 2 and 32-37 are canceled without prejudice, replaces all prior versions, and listings, of claims in the application:

- 1 (Currently Amended) A holder for surgical instruments, said instruments being of the type having a distal portion for engagement with a patient during surgery and a proximal portion for manipulation by a surgeon, said holder comprising a body, a plurality of retainers mounted on or in the body and a separator located between adjacent retainers, wherein location of the distal portion of a surgical instrument in or by ~~a retainer~~ one of the retainers substantially separates the distal portion of the surgical instrument against contact with the distal portion of a surgical instrument located in an adjacent other of the ~~retainer~~ retainers and the distal portion of the surgical instrument being substantially enclosed by the retainer.
- 2 (Canceled)
- 3 (Currently Amended) A holder according to ~~either~~ claim 1 ~~or claim 2~~ wherein [[a]] the retainer defines a cavity in the body of the holder.
- 4 (Currently Amended) A holder according to ~~claim 1 any one of the preceding claims~~ wherein [[a]] the retainer is separable from the body of the holder.
- 5 (Currently Amended) A holder according to claim 4 further comprising an engagement member means to engage [[a]] the retainer with the holder and a fastener to fasten [[a]] the retainer to the holder.

- 6 (Currently Amended) A holder according to claim 4 ~~any one of the preceding claims~~ wherein the retainer comprises a body which passes through an aperture in the holder and a fastening portion which is fastened to the body of the holder.
- 7 (Currently Amended) A holder according to claim 1 ~~any one of the preceding claims~~ wherein the retainer comprises an aperture at its distal end.
- 8 (Currently Amended) A holder according to claim 1 ~~any one of the preceding claims~~ wherein the retainer defines an elongated and tapered cavity.
- 9 (Original) A holder according to claim 8 wherein the retainer has an oval or bi-lobed cross section.
- 10 (Currently Amended) A holder according to Claim 1 ~~any one of the preceding claims~~ comprising a holding portion and a collecting portion.
- 11 (Original) A holder according to claim 10 wherein the collecting portion is detachable.
- 12 (Currently Amended) A holder according to claim either 10 or claim 11 wherein instruments are held in the retainers so as to not contact the collecting portion.
- 13 (Currently Amended) A holder according to claim 10 ~~any one of claims 10, 11 or 12~~ wherein the holder is shaped so that the holder or the holding portion of the holder is stackable with a plurality of like-shaped holders [[()]] or holding portions [D]].
- 14 (Currently Amended) A holder according to claim 10 ~~any one of the preceding claims~~ wherein the collecting portion is shaped so that it is stackable with a plurality of like-shaped collecting portions.

15 (Currently Amended) A holder according to claim 1 ~~any one of the preceding claims~~ comprising an engagement portion to engage another surgical tray or holder.

16 (Currently Amended) A holder according to claim 1 ~~any one of the preceding claims~~ further comprising a portion for holding other surgical items.

17 (Currently Amended) A holder according to claim 1 ~~any one of the preceding claims~~ further comprising a device for removal of medical sharps from medical implements comprising a body defining an aperture wherein at least one portion of the body projects into the aperture and said portion comprises a lip ~~extending substantially perpendicular to the plane of the body~~ defining the aperture so as to engage the medical sharp for removal from the medical implement.

18 (Original) A holder according to claim 17 wherein the aperture is a generally rounded rectangular shape and is missing one corner due to the projection of the body into the aperture.

19 (Currently Amended) A holder according to claim 17 ~~or claim 18~~ wherein the lip extends:

- (a) less than half way around the perimeter of the aperture; and
- (b) half way across the projection from the body into the aperture; ~~;~~  
and
- (c) ~~extends perpendicularly to the plane of the body from which the aperture is defined.~~

20 (Currently Amended) A holder according to claim 17 ~~any one of claims 17 to 19~~ wherein a portion of the body comprises a tapered or serrated edge to enable removal of a screw-threaded sharps from medical instruments.

21 (Original) A device for removal of medical sharps from medical implements comprising a body defining an aperture wherein at least one portion of the body projects into the aperture and said portion comprises a lip extending substantially perpendicular to the plane of the body defining the aperture so as to engage the medical sharp for removal from the medical implement.

22 (Original) A device according to claim 21 wherein the aperture is a generally rounded rectangular shape and is missing one corner due to the projection of the body into the aperture.

23 (Currently Amended) A device according to claim 21 ~~or claim 22~~ wherein the lip extends:

(a) less than half way around the perimeter of the aperture; and

(b) half way across the projection from the body into the aperture; ~~;~~  
and

~~extends perpendicularly to the plane of the body from which the aperture is defined.~~

24 (Currently Amended) A device according to claim 23 ~~any one of claims 21 to 23~~ wherein a portion of the body comprises a tapered or serrated edge to enable removal of screw-threaded sharps from medical instruments.

25 (Original) A retainer suitable for use with a holder for surgical instruments according to claim 1 wherein the distal portion of a surgical instruments retained in the retainer is enclosed by the retainer.

26 (Original) A retainer according to claim 25 wherein the retainer defines a cavity in the body of the holder.

27 (Currently Amended) A retainer according to ~~either~~ claim 25 or 26 capable of being separately reversibly fastened in apertures in the body of a holder.

28 (Currently Amended) A retainer according to ~~claim 25 any one of claims 25 to 27~~ comprising an aperture at the distal end.

29 (Currently Amended) A retainer according to ~~claim 25 any one of claims 25 to 28~~ comprising an elongated and tapered cavity.

30 (Original) A retainer according to claim 29 wherein the cavity has an oval or bi-lobed cross section.

31 (Currently Amended) A retainer according to ~~claim 25 any one of claims 25 to 30~~ which retains an instrument by engaging it.

32-37 (Canceled)